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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,881	04/25/2001	Jae Kyung Lee	P-219	4938
34610	7590	01/24/2006	EXAMINER	
FLESHNER & KIM, LLP			BELIVEAU, SCOTT E	
P.O. BOX 221200			ART UNIT	
CHANTILLY, VA 20153			PAPER NUMBER	

2614

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,881

Applicant(s)

LEE ET AL.

Examiner

Scott Beliveau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02 November 2005 has been entered.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: "Digital television which displays functional/feature information using stored product and site information".

Response to Arguments

3. Applicant's arguments with respect to claims 1-13 and 15-26 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In the instant case,

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Sturgeon et al. is relied upon for a species of TV or PC-TV which is capable of accessing the Internet, comprises an optical scanner, and further suggests that the user is capable of obtaining on-line help information. As illustrated in Figure 2, the "TV" clearly comprises a "storing unit" [104/106/114/116/112] as well as a "control unit" [102]. The reference further teaches that the particular convergence of computer and television functionality is known to those skilled in the art (Sturgeon et al.: Col 2, Lines 6-12); thereby providing a clear suggestion to combine TV and PC functionality. The reference, however, does not teach the particular usage of the aforementioned architectural components to particularly access Internet web-sites to access information concerning the "TV" [82]. The Van Ryzin reference teaches PC functionality which allows a viewer to obtain user manuals from the internet through the usage of an optical scanner that scans any bar code found on any product including audio/video equipment (Para. [0020]) and is not limiting with respect to the physical embodiment of the device for which the functionality may be applied (Para. [0025]). A television or PC-TV is clearly a type of audio/video equipment and the Sturgeon et al. reference clearly suggests the ability to access on-line user manuals.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, as set forth in the grounds of rejection, the motivation to

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combine the references so as to implement PC functionality using a specialized type of PC is explicitly set forth in the references of record as aforementioned.

Claim Objections

4. Claim 26 is objected to because the phrase "of the TV" lacks proper antecedence. The examiner shall presume that it is referencing "the television system". Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
7. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sturgeon et al. (US Pat No. 6,202,212) in view of Van Ryzin (US Pub No. 2002/0059241).

In consideration of claim 1, the Sturgeon et al. reference discloses an “apparatus” or species of “TV” [82] with an optical scanner. The “apparatus” is operable to “reproduce video and audio signals by receiving a broadcast signal” comprising a “storing unit” [104/106/114/116/112] and a “controlling unit” [102] which “accesses information from [an] Internet site” (Col 5, Line 59 – Col 6, Line 25). The reference however, does not explicitly disclose nor preclude the usage of the PC functionality for the particular retrieval of product related information associated with the “TV” [82] from the Internet, nor does it clearly disclose the particular usage of universal product codes associated with the particular “TV” [82]. However, the examiner takes OFFICIAL NOTICE as to the existence of universal product codes (UPCs) being associated with consumer electronics. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify the “TV” [82] of Sturgeon et al. be associated with a UPC for the commonly known purpose of providing means to utilize industry standard codes to uniquely identify products for accounting and inventory purposes.

The Van Ryzin reference discloses a technique whereby a PC is operable to “store proper information” of a product comprising a UPC or other equivalent code and “contact information of an Internet site” [30] whereupon a “controlling unit” responsible for executing client software resident on the associated PC [10] “accesses information from the Internet site using the stored proper information . . . in response to an action of a user” or the scanning of a product bar code (Para. [0022]). The apparatus further “displays function information and feature information of the product” associated with an on-line user manual “on a screen” [10B] by “using the stored contact information and the stored proper information” to retrieve

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and access the displayed information (Figure 3; Para. [0029] – [0034]). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to utilize the apparatus of Sturgeon et al. to apply the method of Van Ryzin for the purpose of advantageously providing a means for quickly linking to a desired web page for a user manual or other information for products including audio/video equipment (Van Ryzin: Para. [0006]).

Taken in combination, the combined references provide a means by which the user of the Sturgeon et al. system may scan an associated UPC of the “television” [82] or other audio/video equipment, such that the aforementioned “storing unit” [104/106/114/116/112] stores the “proper information of the TV” (ex. UPC) and “contact information of an Internet site” (ex. server database [30]) as necessary to convey the appropriate request in order to retrieve additional internet based information corresponding to the “television” [82] or other devices.

Claim 2 is rejected wherein the “Internet site is a product-related site” in so far as it, relates the product to the particular manufacture web-site or is the manufacturer of the product.

Claim 3 is rejected wherein the “function information and feature information of the TV is provided from a product-related site server” associated with the manufacturer.

Claim 4 is rejected wherein the “controller unit transmits the proper information of the TV to a product-related site server” [30] which subsequently performs the appropriate look-up function.

Claim 5 is rejected wherein the “proper information of the TV is provided to a product-related site server” [30] through a “network interface” [152] as provided by Sturgeon et al.

Claim 6 is rejected wherein the “proper information of the product is a model name or model number” as a UPC serves as a model number assigned by the manufacturer (see Rothschild: Col 1, Lines 30-41 regarding the composition of a UPC).

In consideration of claim 7, the reference discloses that the server resides at a known internet address (Para. [0032]). The reference, however, does not explicitly state that the “contact information is a URL (Uniform Resource Locator)”. Applicant’s admission of fact provides evidence as to the equivalence of an internet address and a “URL” for their use in the Internet art as means for accessing Internet resources and that the selection of any of these known equivalents to access a Internet resource would be within the level of ordinary skill in the art. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to particularly utilize a “URL” so as to access the aforementioned “Internet site” for the purpose of doing so in a manner which complies with a standardized framework for accessing internet related information.

In consideration of claim 8, the “function information” is “information corresponding to video or audio-related functions” when the on-line user manual is related to audio/video equipment (Para. [0020]).

In consideration of claim 9, while the combined teachings disclose that the user is provided with on-line user guide corresponding to the requested product. Applicant’s admission of fact provides evidence that it is notoriously well known in the art for user manuals to comprise information detailing “special functions” associated with the particular

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device. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to provide information in the user guide detailing “special functions of the TV” for the purpose advantageously explaining to the user the operation and functionality of the interconnected device.

8. Claims 10-13, 15-18, and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sturgeon et al. (US Pat No. 6,202,212) in view of Lee (US Pat No. 6,542,897).

In consideration of claim 10, as aforementioned, the Sturgeon et al. reference discloses a “TV” [82] species or PC-TV that facilitates a plurality of functional modes associated with a plurality of consumer electronic devices including modes that facilitate Internet access. While the reference suggests the particular usage of an on-line help manual, the reference does not explicitly disclose nor preclude the particular usage scenarios as claimed.

The Lee reference discloses a method for providing customer support improving upon traditional on-line manuals by using the Internet. “When a selection is made by a user” to contact the customer support server for information pertaining to a particular model of consumer electronics device, the apparatus “transmits stored proper information . . . to a product-related certain site” [110] by using inherently stored contact information of the product-related site “stored in advance of the selection by the user”. The “contact information” of the product-related site must be stored in advance in order for the apparatus connecting through the Internet to access/contact the remote server in order to retrieve product information (ex. How would the apparatus connect to the remote server in response to the user's request without the address of the remote server having already been stored?).

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Similarly, the "proper information" must also be stored or else the product-related site [110] would not know what product information is being requested. Both pieces of information are "stored in advance of the selection by the user" associated with actuating the particular request. The apparatus subsequently "receives menu information corresponding" to the product (Figure 13), "receives information selected by a user in the menu information" (Figure 14), and "displays the selected information on a screen" (Figure 15). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to utilize the Sturgeon et al. apparatus using the teachings of Lee for the purpose of providing an improved customer service system using the Internet to ensure a high level of customer satisfaction and minimize after-service cost for a computer system and other consumer electronics devices (Lee: Col 1, Line 48 – Col 2, Line 14).

Taken in combination, the combined references provide a means by which the user of the Sturgeon et al. system may subsequently access the on-line help features of the "television" [82] so as to obtain additional information corresponding to the particular consumer product or "television" [82].

Claim 11 is rejected wherein the "proper information is a model name or a model number of the TV" [82] (Lee: Col 5, Lines 11-22).

Claim 12 is rejected wherein the "proper information is transmitted by using the contact information of the product-related site" associated with the Internet based support server. For example, the user must utilize "contact information" in order to access the homepage of the support server [110].

In consideration of claim 13, the references do not explicitly disclose nor preclude that the “contact information is a URL (Universal Resource Locator)”. Applicant’s admission of fact provides evidence that it is notoriously well known in the Internet art so as to utilize URLs in order to access Internet pages. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a “URL (Uniform Resource Locator)” as a means of “contact information” for the inherent advantages associated with such including the ability to utilize an easily remembered address name which further allows the customer service provider to advantageously change IP addresses, if necessary.

Claim 15 is rejected wherein “the menu information is information corresponding to video or audio-related functions of the TV” [82] (ex. CD-ROM Drive) and “information corresponding to a special function of the TV” [82] such as those pertaining to the support of a infra-red communication. The claims are not limiting with respect to what is meant by a "special function" of a consumer electronic device.

In consideration of claims 16 and 17, the apparatus “transmits the stored proper information” “when a function selection key signal is inputted by the user” designating the PC-TV to operate in PC mode and the “control method further comprises receiving and processing a broadcast signal when the function selection key signal is not inputted” (Sturgeon et al.: Figures 11-12).

In consideration of claim 18, the Lee reference discloses that the system initially displays a “general homepage information on the screen after receiving it when the proper

information of the TV is not transmitted to the product-related site" [300] (Lee: Col 5, Lines 1-11).

Claim 20 is rejected as previously set forth. The Sturgeon et al. reference discloses a "television system" [82] that is operable to access the Internet, to "receive a signal indicating a desire to obtain product-related information" associated with product related help and to "display . . . received information [on] a screen of the television system". While the reference suggests the particular usage of an on-line help manual, the reference does not explicitly disclose nor preclude the particular usage scenarios as claimed.

The Lee reference discloses a method for providing customer support that improves upon traditional on-line manuals by using the Internet. The method comprises "receiving a signal indicating a desire to obtain product-related information", "transmitting . . . identifying information of a product to a server in direct response to the received signal" (Figures 6, 10, and 13), "receiving information . . . from the server" [110] "based on the transmitted . . . identifying information" (Figures 7, 8, 11, and 14-15), and subsequently "displaying the received information" as illustrated. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to utilize the Sturgeon et al. apparatus using the teachings of Lee for the purpose of providing an improved customer service system using the Internet to ensure a high level of customer satisfaction and minimize after-service cost for a computer system and other consumer electronics devices (Lee: Col 1, Line 48 – Col 2, Line 14).

As previously set forth, the Lee system inherently stores the "identifying information of a product" in association with the user's request for information pertaining to that particular

product. For example, the "identifying information" of a product must be stored in order to be displayed on the screen and must be stored in order to formulate a request for the subsequent information. Accordingly, the particular limitations such that the information has been "previously stored" as set forth in the claim limitation are met for the scenario wherein the user repeats the aforementioned method steps for the purpose of retrieving the same information at a later date in order to resolve reoccurring problems or in order to refresh the operators memory as to how a particular function works. The "identifying information of a product" would be "previously-stored" for a later execution of the method.

Claim 21 and 22 are rejected wherein the "previously-stored identifying information comprises a model name of the television system" or a "model number of the television system stored prior to receiving the signal" (Lee: Col 5, Lines 11-22).

Claim 23 is rejected wherein the "transmitting previously-stored identifying information of the television system comprises transmitting the previously-stored identifying information based on previously-stored contact information of a web-site" associated with the support server [110].

In consideration of claim 24, the references do not explicitly disclose nor preclude that the "contact information comprises URL (Universal Resource Locator)". Applicant's admission of fact provides evidence that it is notoriously well known in the Internet art so as to utilize URLs in order to access Internet pages. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a "URL (Uniform Resource Locator)" as a means of "contact information" for the inherent advantages associated with such including the ability to utilize an easily remembered address

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name which further allows the customer service provider to advantageously change IP addresses, if necessary.

Claims 25 and 26 are rejected wherein the method "further comprises receiving menu information from the website in response to the transmitted previously-stored identifying information" (Figure 7) wherein "the menu information comprises information corresponding to video or audio-related functions of the television system" (ex. CD-ROM Drive) and "information corresponding to a special function of the television system" such as those pertaining to the support of a infra-red communication. The claims are not limiting with respect to what is meant by a "special function" of a consumer electronic device.

9. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sturgeon et al. (US Pat No. 6,202,212), in view of Van Ryzin (US Pub No. 2002/0059241), and in further view of Boles et al. (US Pat No. 5,212,371).

In consideration of claim 19, the Van Ryzin reference suggests the particular usage of any form of equivalent optical bar code scanner (Para. [002]), but is silent with respect to "the action of the user comprises pressing of a selection key" in connection with the scanning of the bar code. In a related art pertaining to bar code readers, the Boles et al. reference discloses a bar code reader comprising a "selection key" [20]. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to utilize the Boles et al. bar code scanner in connection with Van Ryzin for the purpose of utilizing an equivalent bar code reader which further advantageously with an improved means for aiming the scan beam (Boles et al.: Col 1, Lines 5-8).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

- The Wright et al. (US Pub No. 2004/0024657) reference discloses a system and method for storing product related information within a device and subsequently utilizing that information to retrieve product specific information.
- The “Compaq.com – AtHome – Service & Support” web pages provide evidence that it was known in the art so as to provide customer support web-pages and tutorials for PC-TVs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343.

The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access

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(toll-free).



SEB
January 11, 2006

Scott Beliveau
Examiner
Art Unit 2614